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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 AXIOM FOODS, INC., a California
13 corporation,; GROWING
14 NATURALS, LLC, an Arizona limited
15 liability company,

16 Plaintiffs,

17 vs.

18 ACERCHEM INTERNATIONAL,
19 INC., an entity of unknown origin; and
20 ACERCHEM UK LIMITED, a United
Kingdom limited company,

21 Defendants.
22

CASE NO.: CV15-870-PA (AJWx)

**RESPONSE OF PLAINTIFFS TO
ORDER TO SHOW CAUSE RE
DISMISSAL FOR LACK OF
PROSECUTION (DOCUMENT 19)**

23
24 Plaintiffs Axiom Foods, Inc. and Growing Naturals, LLC ("Plaintiffs")
25 hereby respond to the Court's Order to Show Cause Re Dismissal for Lack of
26 Prosecution (Document No. 19).
27
28

1 Plaintiffs believe that Defendant Acerchem International, Inc. is a Chinese
 2 entity. Plaintiffs have not been able to confirm this fact but hope to obtain
 3 additional information as to the location of Acerchem International, Inc. through
 4 written discovery to be propounded on its affiliate, defendant Acerchem UK, as
 5 soon as authorized under FRCP 26.

6 Following an identification of Acerchem International, Inc.'s places of
 7 business, its agents and employees, Plaintiffs will attempt to effectuate service of
 8 process on this defendant. Based on the time that Plaintiffs anticipate needing to
 9 effectuate service, including the fact that discovery has not yet commenced, and
 10 the fact that it may be necessary to obtain assistance from Chinese legal
 11 authorities under the Hague Convention, Plaintiffs request additional time from
 12 the Court in order to serve Acerchem International.¹

13
 14 DATED: June 22, 2015

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21 ¹ Plaintiffs effectuated service of process upon Acerchem UK on March 30, 2015.
 22 See Document No. 10. Based on the date and method of service, the deadline for
 23 Acerchem UK to respond to the Complaint was April 20, 2015. FRCP Rule
 24 12(a). Prior to the deadline for Acerchem UK to respond, its counsel and counsel
 25 for Plaintiffs discussed the lawsuit and potential resolution of the lawsuit.
 26 Thereafter, an extension was granted to Acerchem UK to respond to the lawsuit.
 27 A Stipulation to Extend Time to Respond (Local Rule 8-3) was filed on May 4,
 28 2015 (Document No. 12), extending by thirty days Acerchem UK's deadline to
 respond. Based on the stipulation, Acerchem UK now has until May 20, 2015 to
 respond. Ultimately, the parties could not agree on a settlement and Acerchem
 UK responded to the Complaint.